

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEI FEI FAN,

Plaintiff,

v.

YANYAO JIANG, et al.,

Defendants.

Case No. 3:21-cv-00458-MMD-CSD

ORDER

Re: ECF Nos. 143, 147, 155, 162

Plaintiff has filed a number of motions, and they are fully briefed. The court addresses and rules on each of Plaintiff's motions below.

Plaintiff's Motion to Clarify Sanctions and to Allocate Responsibility to Former Counsel (ECF No. 143):

Plaintiff filed a "motion to clarify sanctions and to allocate responsibility to former counsel."¹ (ECF No. 143). Defendant filed a response (ECF No. 149) and Plaintiff replied (ECF No. 150).

District Judge Robert Jones granted Wu's motion to dismiss on September 9, 2023, and sanctioned Plaintiff and her counsel for bringing "frivolous claims" against Defendant Wu² (ECF No. 108). Judge Jones also found that the lawsuit was an "abuse of judicial process. (*Id.* at 6). On March 20, 2024, Judge Jones granted Defendant Wu's motion for attorney's fees and costs in the amount of \$84,462.21 against Plaintiff and her counsel (ECF No. 122). Plaintiff did not appeal or

¹ Plaintiff's former counsel is attorney Ryan McCann.

² Former Defendant Wu is the spouse of Defendant Jiang.

1 request reconsideration of the order granting fees and costs, and the deadline to do so has long
2 since passed. In her motion, Plaintiff essentially blames her former counsel for the sanctions. The
3 court declines to get involved with any dispute between Plaintiff and her former counsel over the
4 joint obligation to pay sanctions that were awarded against both of them more than one year ago.
5 Plaintiff's motion (ECF No. 143) is **DENIED**.

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7 **Plaintiff's Motion to Sanction Former Counsel, Compel Case File Production and Correct**
8 **Direct Former Counsel to File Under Own Name (ECF Nos. 147, 155):**

9 Plaintiff filed a motion to sanction her former counsel and compel case file production
10 (ECF No. 147). Attorney Ryan McCann filed a response (ECF No. 150), and Plaintiff replied
11 (ECF No. 157). Plaintiff then filed a motion to correct docket entry 150 and direct her former
12 counsel to file under his own name (ECF No. 155). Attorney McCann then filed a response under
13 his name (ECF No. 171).

14 Her former counsel reports that he turned over the contents of Plaintiff's case file on
15 February 21, 2025. (*Id.* at 4). The court declines to get involved with any dispute between Plaintiff
16 and her former counsel. Counsel has an ethical obligation to provide the case file to his former
17 client, and he represents to the court that he has done so. Any dispute between Plaintiff and her
18 former counsel over this issue should be raised with the State Bar for Nevada, not with this court.
19 This court no longer has jurisdiction over attorney McCann since the court previously granted
20 Plaintiff's motion to withdraw³ (ECF No. 142). Accordingly, Plaintiff's motion (ECF 147) is
21 **DENIED**. Plaintiff's motion (ECF No. 155) is also **DENIED** as moot.
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27 ³ Plaintiff also filed a motion to compel attorney McCann's withdrawal as her counsel
28 (ECF No. 127) which was denied as moot because the court granted the motion to withdraw (ECF
No. 142).

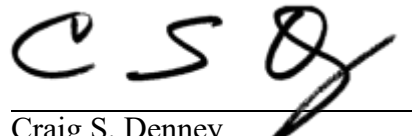
1 **Plaintiff's Motion to Strike (ECF No. 162):**

2 Plaintiff also filed a "motion to strike ECF No. 160 as improper and misleading." (ECF
3 No. 162). This motion appears to challenge her former counsel's duplicate response that was filed
4 as a result of her motion to clarify sanctions (ECF No. 143). Counsel had refiled his response (in
5 his own name) in ECF No. 160. It is apparent to the court that Plaintiff has filed multiple motions
6 with the court that pertain to her dispute with former counsel's representation. As stated above,
7 the court declines to get involved with Plaintiff's dispute with her former counsel. Plaintiff's
8 motion (ECF No. 162) is **DENIED**.

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10 The court cautions Plaintiff in filing any future motions regarding her former counsel which
11 are simply not relevant to the pending litigation with Defendant Jiang.

12 **IT IS SO ORDERED.**

13 DATED: May 6, 2025.

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17 Craig S. Denney
18 United States Magistrate Judge
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